

**A-6843 (a) & (b)**  
**Variance Request**

**Construct:**

- a) An expanded front stoop. The proposed stoop would measure a maximum of twenty-two feet, four inches (22'-4") in width. The proposed stoop would encroach no farther forward of the twenty-five (25) foot front (Primrose Street) building restriction line than the maximum encroachment of the existing stoop (eight and one-quarter (8 1/4) inches), but the overall width of the proposed stoop would increase by fourteen (14) feet; and
- b) A new portico over an expanded front stoop. The proposed portico would encroach a maximum of one foot, one and one-quarter inches (1'-1 1/4") forward of the twenty-five (25) foot front (Primrose Street) building restriction line.

Mr. Jeffrey J. Selingo &  
Ms. Heather A. Selingo Salko  
205 Primrose Street

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**CHEVY CHASE VILLAGE  
BOARD OF MANAGERS  
NOVEMBER 9, 2015 SPECIAL MEETING**

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**STAFF INFORMATION REPORT**

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**TO:** BOARD OF MANAGERS

**FROM:** ELLEN SANDS, PERMITTING AND CODE ENFORCEMENT COORDINATOR

**DATE:** 11/5/2015

**SUBJECT:** HEARING OF CASE NO. A-6843 (A) & (B) VARIANCE REQUEST  
MS. HEATHER A. SELINGO SALKO & MR. JEFFREY J. SELINGO  
CONSTRUCT:

- A) AN EXPANDED FRONT STOOP. THE PROPOSED STOOP WOULD MEASURE A MAXIMUM OF TWENTY-TWO FEET, FOUR INCHES (22'-4") IN WIDTH. THE PROPOSED STOOP WOULD ENCROACH NO FARTHER FORWARD OF THE TWENTY-FIVE (25) FOOT FRONT (PRIMROSE STREET) BUILDING RESTRICTION LINE THAN THE MAXIMUM ENCROACHMENT OF THE EXISTING STOOP (EIGHT AND ONE-QUARTER (8 ¼) INCHES), BUT THE OVERALL WIDTH OF THE PROPOSED STOOP WOULD INCREASE BY FOURTEEN (14) FEET; AND
- B) A NEW PORTICO OVER AN EXPANDED FRONT STOOP. THE PROPOSED PORTICO WOULD ENCROACH A MAXIMUM OF ONE FOOT, ONE AND ONE-QUARTER INCHES (1'-1 ¼") FORWARD OF THE TWENTY-FIVE (25) FOOT FRONT (PRIMROSE STREET) BUILDING RESTRICTION LINE.

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**NOTICE REQUIREMENTS:** Abutting Owners; Public Notice

**APPLICABLE CHEVY CHASE BUILDING REGULATION:**

**The Chevy Chase Village Code Sec. 8-16 (c) states:**

No structure of any description shall be erected within twenty-five (25) feet of the front line of any lot.

**APPLICABLE COVENANTS:**

"No structure of any description shall be erected within twenty-five (25) feet of the front line of said premises; and that no stable, carriage house, shed or outbuilding shall be erected except on the rear of said premises."

**FACTUAL AND BACKGROUND INFORMATION:**

The property is located on the northeast side of Primrose Street.

The existing stoop encroaches eight and one-quarter (8 ¼) inches forward of the twenty-five (25) foot front building restriction line; that dimension is not proposed to increase.

The existing stoop measures eight feet, four inches (8'-4") in width, which is proposed to increase by fourteen (14) feet, hence the request is considered an expansion of an existing non-conforming structure. There is no change proposed to the location of the existing single step located forward of the front stoop.

The proposed portico would encroach one foot, one and one-quarter inches (1'-1 ¼" ) forward of the twenty-five (25) foot front BRL and would measure twenty-two feet, four inches (22'-4") in width.



Figure 1: View of 205 Primrose Street. The yellow dashed lines depict the approximate location of the proposed stoop and portico.



Figure 2: Close up of the existing stoop.



The Village arborist has assessed the property. No trees are proposed for removal. Construction of the stoop and portico can be accommodated through a Tree Protection Plan associated with a Building Permit recently issued for a construction project at the property.

To date there has been no correspondence received either in support of or in opposition to the request.

Applicable Fees: Building Permit Application: \$30; Variance Application Fee: \$300.

**Legislative Policy Re: Front Steps, Stoops and Associated Porticos:**

At its meeting on February 9, 2015 the Village Board adopted a legislative policy (attached following this Staff Report) that finds that stoops and steps, whether uncovered or with an associated portico, which are necessary to address the change in elevation from the ground to the primary entrance of a house, and to allow for reasonable, safe access, will no longer be considered "structures" for the purposes of the covenants (finding number three in the variance conditions). Applicants must still apply for a variance and will need to address the first two conditions of the Variance request and the proposed stoop, steps and/or portico, when serving as the primary entrance, must meet the size and elevation criteria stipulated in the policy. [The complete Policy follows this Staff Report]

**RELEVANT PRECEDENTS: CASE (A) STOOP:**

There are numerous precedents of variance requests for increased encroachments farther forward of the front building restriction line when applicants contend that there is not sufficient depth on the existing stoop for a safe entrance to the property. In this application, the request is not for an increase in the depth of the encroachment, but an expansion in the width. In that regard the application is similar to: In July 2011 Mr. & Ms. Alex Sternhell of 27 Primrose Street were **granted** a variance to extend an existing porch that encroached three feet forward of the front building (and covenant) restriction line in order to connect to an existing side porch at the property. (The applicants were also subsequently granted an additional variance to reconfigure front steps on the opposite side of the same front porch- see below). In July of 2013 Mr. Christopher Erckert and Mr. Christopher Sperl of 28 Hesketh Street were **granted** a variance to fill-in the chamfered corners of an uncovered front porch that encroached a maximum of eleven and two-tenths (11.2) feet forward of the twenty-five (25) foot front building (and covenant) restriction line in order to create a rectangular porch; there was no increase in the depth of the porch.



Other variance requests involve increasing the depth of the encroachment of the stoop (and of the steps required to reach the stoop). Often the case is made that the current steps are not compliant with current Code, however in this application there is no proposed change to the single step required to reach the stoop:

In June 2009 Ms. Megan Rupp and Mr. Dane Butswinkas of 7 West Kirke Street were **granted** variances to construct a wrap-around porch and a deck that encroached forward of the West Kirke Street and Laurel Parkway front BRLs. (In that case the applicants were able to demonstrate that a porch had previously existed in that location.) In December of 2010, Mr. Gregory L. Dixon and Ms. Susan F. Dixon, Co-Trustees of the Gregory L. Dixon Revocable Trust and the Susan F. Dixon Revocable Trust, of 5500 Montgomery Street, were **granted** a variance to expand their uncovered front stoop that would extend three (3) feet forward of the twenty-five (25) foot front building restriction and covenant setback line. In December of 2010, Mr. & Mrs. Robert Maruszewski of 127 Grafton Street were **granted** a variance to enlarge a non-conforming uncovered stoop which would encroach five feet, six inches (5'-6") forward of the twenty-five (25) foot front building restriction (and covenant setback line) an additional two feet, eleven inches (2'-11") farther than the existing stoop. (In January of 2011 the same applicants were **denied** a variance to construct a portico over the previously approved stoop and steps.) In January of 2011, Ms. Joanne Kyros and Mr. Thomas Schaufelberger were granted multiple variances to extend existing encroachments in the west (side) yard of their property pertaining to an addition as well as **granted** a variance to construct an uncovered stoop with three treads that would encroach five (5) feet forward of the front building restriction and covenant setback line, an additional two (2) inches farther than the existing treads. (The applicants were **denied permission to construct a roof** over the proposed stoop that would encroach three (3) feet forward of the front building restriction line.) In February of 2012, Mr. & Mrs. Andrew Marino, of 11 Primrose Street, were **granted** a variance to relocate and construct non-conforming uncovered front steps, leading to a covered porch, both of which were forward of the twenty-five (25) foot front building restriction and covenant setback line. The proposed steps would encroach twelve feet, eight inches (12'-8") forward of this twenty-five (25) foot front setback line, an additional ten (10) inches beyond the existing steps. In April of 2012 Mr. & Mrs. D. Blake

Bath were **granted** a variance to reconstruct the uncovered front steps and add an additional step leading from the front walkway to the front porch forward of the twenty-five (25) foot front building restriction and covenant setback line. In June of 2013, Mr. Brendan O'Neill Sr. was **granted** a variance to construct a new house, the proposed soffit, gutter, portico stoop and treads of which would encroach forward of the twenty-five (25) foot front building restriction line. In June of 2013, Mr. & Mrs. Peter Wellington of 18 West Lenox Street were **granted** a variance to reconstruct the uncovered front stoop with three treads, including one new additional tread. In September of 2013 Ms. Joanne Kyros and Mr. Thomas Schaufelberger were **granted** a variance to reconstruct an uncovered front stoop and treads, adding an additional tread, that would encroach a maximum of six feet, two inches (6'-2") forward of the twenty five (25) foot front building restriction line. In November of 2013 Mr. Sean F. X. Boland of 4 East Lenox Street was **granted** a variance to reconstruct a front stoop and treads as well as to construct a portico over the proposed stoop. (In that case there was no covenant conflict and the majority of the properties on the subject block of East Lenox Street also had encroachments forward of the twenty five (25) foot front BRL.) In January of 2014, Mr. & Mrs. J. Michael McGarry of 24 West Kirke Street were **granted** a variance to construct a front stoop with two (2) treads that would encroach a maximum of five feet, two inches (5'-2") forward of the twenty-five (25) foot front building restriction line. In November of 2014 Mr. & Mrs. Perry Linder of 18 Hesketh Street were **granted** a variance to expand an existing stoop and treads which would encroach a maximum of twenty and two-tenths (20.2) feet forward of the twenty-five (25) foot front (Hesketh Street) building restriction line (they also obtained a variance to construct a new portico associated with the expanded stoop and steps).

**RELEVANT PRECEDENTS: CASE (B) PORTICO:**

There are numerous precedents for variances from former Sec. 8-17 (c) of the Village Code (prohibiting structures within twenty-five (25) feet of the front line of any lot) to construct porticos that were **denied** because they would have **created covenant setback violations**. In January of 2011 Mr. & Mrs. Robert Maruszewski of 127 Grafton Street were **denied** a variance to construct a portico over a previously approved expanded stoop and steps. In December 1993 William J. Bowman of 6306 Broad Branch Road was denied a

variance to **construct** a new portico which would have encroached forward of the twenty-five foot front BRL. In July 1997 Mr. and Mrs. David Cox of 15 Grafton Street were granted a variance to expand an existing porch roof. In July 1997 Mr. & Mrs. Bailey Adams of 5625 Grove Street were granted a variance to construct a portico over an existing stoop which extended six inches forward of the front BRL. In May of 2000 Dr. & Mrs. Thomas Ryan of 5414 Grove Street were granted a variance to construct an overhang over a stoop which encroached two inches forward of the front BRL. (In that case, the Board found that "Although the covenants applicable to the subject property prohibit any "structure of any description" from being erected within 25 feet of the front line of the premises, the presence of the existing steps within 25 feet of the front line suggests that, at the time the covenants were made applicable to the subject property, uncovered steps may not have been considered a "structure" as that term is used in the covenants applicable to the subject property." This case was also supported by findings that the encroachments would be "minimal" intrusions, and other properties in the vicinity had front steps "to bridge the gap between the height of the front door threshold and the grade of the front yard." In November 2002 Mr. & Mrs. Stewart Bainum of 12 Primrose Street were granted a variance to construct a portico over an existing stoop. (In that case, the evidence presented reflected that the proposed portico would encroach into the 25-foot front setback imposed by the covenants less than several of the other porches and covered stoops on the south side of Primrose Street. The Board found that, "In contrast to the established setback in the Village ... , Primrose Street, between Connecticut Avenue and Brookeville Road, is very unusual in that most of the houses along this block have covered stoops or porches that are located less than 25 feet from their respective front property lines." Accordingly, the Board found that, "The proposed portico would not violate any enforceable covenants applicable to the subject property".) In January of 2011, Ms. Joanne Kyros and Mr. Thomas Schaufelberger were **denied** permission to construct a roof over a proposed stoop expansion that would encroach three (3) feet forward of the front building restriction line. In June of 2013, Mr. Brendan O'Neill Sr. was **granted** a variance to construct a new house, the proposed soffit, gutter, portico, stoop and treads of which would encroach forward of the twenty-five (25) foot front building restriction line. The Applicant contended that a previous house at the property had encroached farther forward than the proposed



portico and that other properties on the block had similar encroachments as the proposed. In November of 2013 Mr. Sean F. X. Boland of 4 East Lenox Street was **granted** a variance to construct a portico over a proposed stoop. In that case there was no covenant conflict at the property and the Applicant established that majority of the properties on the subject block of East Lenox Street also had encroachments forward of the twenty five (25) foot front BRL. In November 2014 Mr. & Mrs. Perry Linder of Hesketh Street were **granted** a variance to construct a portico over an expanded stoop which would encroach a maximum of fourteen and three-tenths (14.3) feet forward of the front (Hesketh Street) building restriction line.

**Findings Required:**

1. The proposed variance is required because special conditions exist whereby the enforcement of the requirements of the Village Building Code would result in an unwarranted hardship and injustice to the owner.
2. The proposed variance will most nearly accomplish the intent and purpose of the requirements of the Village Building Code; and
3. Except for variances from the requirements of Sections 8-21 [fences], 8-26 [driveways] or Chapter 25 [public rights-of-way] of the Village Regulations, the structure authorized by the proposed variance would not violate any covenant applicable to the property.

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**Draft Motion**

I move to APPROVE/DENY the variance request in Case A-6843(a) [Stoop] on the basis that the evidence presented, including the Staff Report, demonstrates that the applicable requirements for approval of the variance HAVE/HAVE NOT been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, APPROVING/DENYING the variance request.

I move to APPROVE/DENY the variance request in Case A-6843(b) [Portico] on the basis that the evidence presented, including the Staff Report, demonstrates that the applicable requirements for approval of the variance HAVE/HAVE NOT been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, APPROVING/DENYING the variance request.

**Legislative Policy to Exclude Certain Front Steps, Stoops and Associated Porticos from the Definition of “Structures” for the Purposes of the Covenant Compliance as required by Section 8-9(c)(3) of the Village Code for Variance Requests**

RECITALS

1. Chevy Chase Village is an incorporated municipality established pursuant to Article XI-E of the Maryland Constitution.
2. Pursuant to §§5-202 and 5-211 of the Local Government Article of the Maryland Code, as amended, the legislative body of each municipal corporation in the State of Maryland is authorized to adopt ordinances, including a Building Code, that such legislative body deems necessary to assure the good government of the municipality, to protect and preserve the municipality's rights, property and privileges, to preserve peace and good order, and to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the residents of the municipality.
3. Section 77-14 of the Chevy Chase Village Charter authorizes the Chevy Chase Village Board of Managers to pass ordinances as it may deem necessary for the health, safety or welfare of Chevy Chase Village; for the protection and preservation of Chevy Chase Village property, rights and privileges; for the preservation of peace and good order and for securing persons and property from violence, danger and destruction; and for the suppression and abatement of nuisances.
4. Pursuant to §20-509 of the Land Use Article of the Maryland Code, a municipal corporation in Montgomery County, such as Chevy Chase Village, is authorized to regulate the construction, repair, erection or remodeling of single-family residential houses and buildings.

5. Chevy Chase Village possesses a special character which includes, but is not limited to, open vistas along streets and sidewalks.
6. Section 8-9(c)(3) of the Village Code requires a finding that "For all variances the structure authorized by the proposed variance would not violate any covenant applicable to the property."
7. The Board has found numerous properties where stoops, or stoops and steps, whether uncovered or with associated porticos, which are necessary to address the change in elevation from the ground to the entrance of a house, encroach into the standard twenty-five (25) foot front setback required by the covenants applicable to most properties.
9. Although the Board has in the past interpreted the term "structure", as used in the covenants imposed by the Chevy Chase Land Company, to include stoops, steps and porticos, the Board finds that either: a) the covenant authors did not intend steps and stoops, whether uncovered or with an associated portico, which are necessary to address the change in elevation from the ground to the primary entrance of a house, and to allow for reasonable, safe access, to be deemed structures for the purposes of the twenty-five (25) foot front setback for properties in the Village; or b) that the numerous uncovered steps and stoops which encroach into the twenty-five (25) foot setback would render the twenty-five (25) foot setback difficult to enforce.
10. The Board finds that, for determining covenant compliance under Sections 8-9(b) and (c), stoops, or stoops and steps, whether uncovered or with an associated



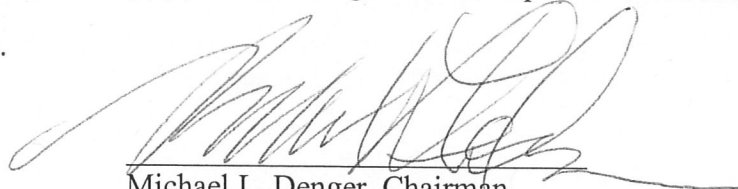
portico, that are installed as a matter of necessity to address the change in elevation from the ground to the primary entrance of a house, which steps, stoops and associated portico are the minimum necessary to provide reasonable, safe, access, including for wheel chairs, should not be deemed "structures." For purposes of this policy, the dimensions of an associated portico shall be comparable to the stoop and shall include only those posts necessary for support.

11. All steps, stoops and associated porticos should continue to be deemed structures for the purposes of the setback requirements in Section 8-16 of the Village Code.

Now, therefore, on this 9<sup>th</sup> day of February, 2015, the Chevy Chase Village Board of Managers, acting under and by virtue of the authority given it by the Act of Legislature approved March 28, 1951, and Acts subsequent thereto, Division II of the Local Government Article of the Maryland Code, and the Chevy Chase Village Charter that:


1. Recitals. The recitals set forth above are incorporated in this Policy as the findings of the Board of Managers.
2. Policy. For the purpose of determining covenant compliance under Village Code Section 8-9(c)(3), stoops, or steps and stoops, whether uncovered or with an associated portico which are necessary to address the change in elevation from the ground to the primary entrance of a house, and are the minimum necessary to provide reasonable access, including for wheel chairs, shall not be considered "structures."

3. Setbacks. All steps, stoops and associated porticos shall continue to be deemed structures for the purposes of the setback requirements in Section 8-16 of the Village Code.
4. Term. This policy shall become effective immediately upon its passage and shall remain in effect until repealed by the Board of Managers.
5. This policy is intended to supersede and replace in its entirety the policy adopted by the Board of Managers on the 14<sup>th</sup> day of February 2011, entitled "Legislative Policy to Exclude Certain Uncovered Front Steps and Stoops from the Definition of 'Structures' for the Purposes of the Covenant Compliance as Required by Sections 8-11(b) (3) and 8-11(c)(3) of the Village Code for Special Permit and Variance Requests".



Michael L. Denger, Chairman  
Chevy Chase Village Board of Managers

ATTEST:



Richard Ruda, Secretary

DATED: 2/23/15

**CHEVY CHASE VILLAGE  
NOTICE OF PUBLIC HEARING**

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Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 9<sup>th</sup> day of November, 2015 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-6843 (A) & (B)  
MR. JEFFREY J. SELINGO & MS. HEATHER A. SELINGO SALKO  
205 PRIMROSE STREET  
CHEVY CHASE, MARYLAND 20815**

The applicants seek a variance from the Board of Managers pursuant to Section 8-9 of the Chevy Chase Village Building Code to construct:

- a) An expanded front stoop. The proposed stoop would measure a maximum of twenty-two feet, four inches (22'-4") in width. The proposed stoop would encroach no farther forward of the twenty-five (25) foot front (Primrose Street) building restriction line than the maximum encroachment of the existing stoop (eight and one-quarter (8 ¼) inches), but the overall width of the proposed stoop would increase by fourteen (14) feet; and
- b) A new portico over an expanded front stoop. The proposed portico would encroach a maximum of one foot, one and one-quarter inches (1'-1 ¼") forward of the twenty-five (25) foot front (Primrose Street) building restriction line.

**Sec. 8-16. Residential building construction prohibitions.**

(c) Front setback. No structure of any description shall be erected within twenty-five (25) feet of the front lot line of any lot...

Additional information regarding this appeal may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at [www.chevychasevillagemd.gov](http://www.chevychasevillagemd.gov) or you may contact the office for this information to be mailed to you.

This notice was mailed (and emailed where possible) and to abutting and confronting property owners on the 29<sup>th</sup> day of October, 2015.

**Chevy Chase Village Office  
5906 Connecticut Avenue  
Chevy Chase, Maryland 20815  
301-654-7300**



# CHEVY CHASE VILLAGE

ESTABLISHED 1890

October 29, 2015

Mr. & Mrs. Jeffrey Selingo  
205 Primrose Street  
Chevy Chase, MD 20815

Dear Mr. & Mrs. Selingo:

Please note that your request for a variance to expand the stoop and construct a portico in the front yard at your property is scheduled before the Board of Managers on Monday, November 9, 2015 at 7:30 p.m.

Either you or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of the request.

For your convenience, enclosed please find copies of the Public Hearing Notice and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,



Ellen Sands  
Permitting and Code Enforcement  
Chevy Chase Village

Enclosures

## CHEVY CHASE VILLAGE

5906 Connecticut Avenue  
Chevy Chase, Maryland 20815

Phone (301) 654-7300

Fax (301) 907-9721

ccv@montgomerycountymd.gov  
www.chevychasevillagemd.gov

## BOARD OF MANAGERS

MICHAEL L. DINGER  
*Chair*

ELISSA A. LEONARD  
*Vice Chair*

RICHARD M. RUDA  
*Secretary*

DAVID L. WINSTEAD  
*Assistant Secretary*

GARY CROCKETT  
*Treasurer*

ROBERT C. GOODWIN, JR.  
*Assistant Treasurer*

MINH LE  
*Board Member*


VILLAGE MANAGER  
SHANA R. DAVIS-COOK

LEGAL COUNSEL  
SUELLEN M. FERGUSON

**MAILING LIST FOR APPEAL A-6843**

**MS. HEATHER A. SELINGO SALKO &  
MR. JEFFREY J. SELINGO  
205 PRIMROSE STREET  
CHEVY CHASE, MD 20815**

<b>Adjoining and confronting property owners</b>	
Mr. & Ms. Tom Loughney Or Current Resident 203 Primrose Street Chevy Chase, MD 20815	Mr. & Mrs. Ioannis Kessides Or Current Resident 207 Primrose Street Chevy Chase, MD 20815
Mr. & Mrs. Gerard Martin Or Current Resident 202 Primrose Street Chevy Chase, MD 20815	Mr. & Ms. Evgeny Bakhtin Or Current Resident 204 Primrose Street Chevy Chase, MD 20815
Mr. & Mrs. Ivo Spalatin Or Current Resident 206 Primrose Street Chevy Chase, MD 20815	

  
I hereby certify that a public notice was emailed (where possible) and mailed to the  
aforementioned property owners on the 29<sup>th</sup> day of October 2015.

**Ellen Sands  
Permitting and Code Enforcement Coordinator  
Chevy Chase Village  
5906 Connecticut Avenue  
Chevy Chase, MD 20815**





# Chevy Chase Village

## Application for a Variance

A variance is permission granted by the Board of Managers pursuant to, and subject to, the conditions of Sec. 8-9(c) of Chapter 8 to construct, install, remove or alter a structure or planting, or take any other action that does not otherwise meet the requirements of the Chapter. Except as provided in Sec. 8-11 a variance can be granted only by the Board of Managers.

<b>Subject Property:</b> 205 Primrose Street	
<b>Describe the Proposed Project:</b> Extend front stoop at primary entrance to house and add portico roof over enlarged stoop for coverage from elements and inclement weather.	
<b>Applicant Name(s) (List all property owners):</b> Jeffrey J. Selingo and Heather Salko-Selingo	
Daytime telephone: 202-997-3385	Cell: Same
E-mail: jeff@selingo.com	
Address (if different from property address):	
For Village staff use:	
Date this form received: <u>10/26/15</u>	Variance No: <u>A-6843 a+b</u>

### Filing Requirements:

**Applications will be reviewed for satisfaction of all requirements and are not considered complete until approved as such by staff.**

- ☐ Completed *Chevy Chase Village Application for a Variance* (this form)
- ☐ Completed *Chevy Chase Village Building Permit Application*
- ☐ Completed *Chevy Chase Village Website Posting Notice*
- ☐ A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existing structures, projections and impervious surfaces.
- ☐ Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc., existing and proposed to be erected, and the distances of such structures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
- ☐ Copy of Covenants applicable to the property except for variances from Secs. 8-21 or 8-26 of Chapter 8 (Building Regulations) or Chapter 25 (Public Rights-of-Way) of the Chevy Chase Village Code.
- ☐ Variance fee (See fee schedule listed in Chapter 6 of the Village Code).

### Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation to this variance request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: 

Date: 10/26/15

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**Describe the basis for the variance request** (Applicants should become familiar with the pertinent sections of the Village Code. Attach additional pages as needed):

Describe the special conditions of the property (e.g., odd shape, small size, sloping topography, abuts state highway, etc.) and how the property compares to other properties in the Village:

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Describe how enforcement of the building regulations would result in an unwarranted hardship and injustice because of the special condition(s) described above (i.e., describe (i) the unwarranted hardship and injustice that you claim exists and (ii) how the special conditions cause that unwarranted hardship and injustice):

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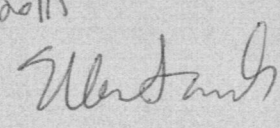
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Describe how the proposed variance most nearly accomplishes the intent and purpose of the requirements of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

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*In exercising its powers in connection with a variance request, the Chevy Chase Village Board of Managers may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.*

<b>Variance Filing Fee</b> <i>Per Village Code Sec. 6-2(a)(24):</i> <input type="checkbox"/> \$300.00 for new construction. <input type="checkbox"/> \$150.00 for replacing existing non-conformities. <input checked="" type="checkbox"/> \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. <input type="checkbox"/> Other: \$ _____ <b>Fee Paid:</b> \$300 <sup>00</sup>	<b>Checks Payable To:</b> Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815  <b>Date Paid:</b> 10/20/15 <b>Staff Signature:</b> 
	<b>Approved to Issue Building Permit per Board Decision Signed by the Board Secretary.</b>  <b>Signature:</b> _____ <b>Village Manager</b>  <b>Date:</b> _____

**Describe the basis for the variance request** (Applicants should become familiar with the pertinent sections of the Village Code. Attach additional pages as needed):

**Describe the special conditions of the property (e.g., odd shape, small size, sloping topography, abuts state highway, etc.) and how the property compares to other properties in the Village:**

Unlike several other homes on the street and in the Village, our home does not have any protection from the elements at its primary entrance. In addition, the existing landing stoop is narrow, which doesn't allow for easy placement of packages delivered to the home, temporary protected placement of the stroller for our children or visiting children, or a convenient spot to watch our young children when they play in the front yard.

**Describe how enforcement of the building regulations would result in an unwarranted hardship and injustice because of the special condition(s) described above (i.e., describe (i) the unwarranted hardship and injustice that you claim exists and (ii) how the special conditions cause that unwarranted hardship and injustice):**

The proposed enlargement/widening of the stoop does not extend it further than it already is beyond the 25 foot setback line. The new construction is not deepening the current encroachment. Rather the proposed plan extends the stoop along the perimeter of the structure and will align with the current end of the stoop. The reconstructed stoop and new portico would be 1 foot and 1 1/4 inches beyond the 25 foot setback at the outermost edge of the gutter (consistent with its current placement). The only further encroachment is necessitated by one step/tread from the stoop which also already exists as well.

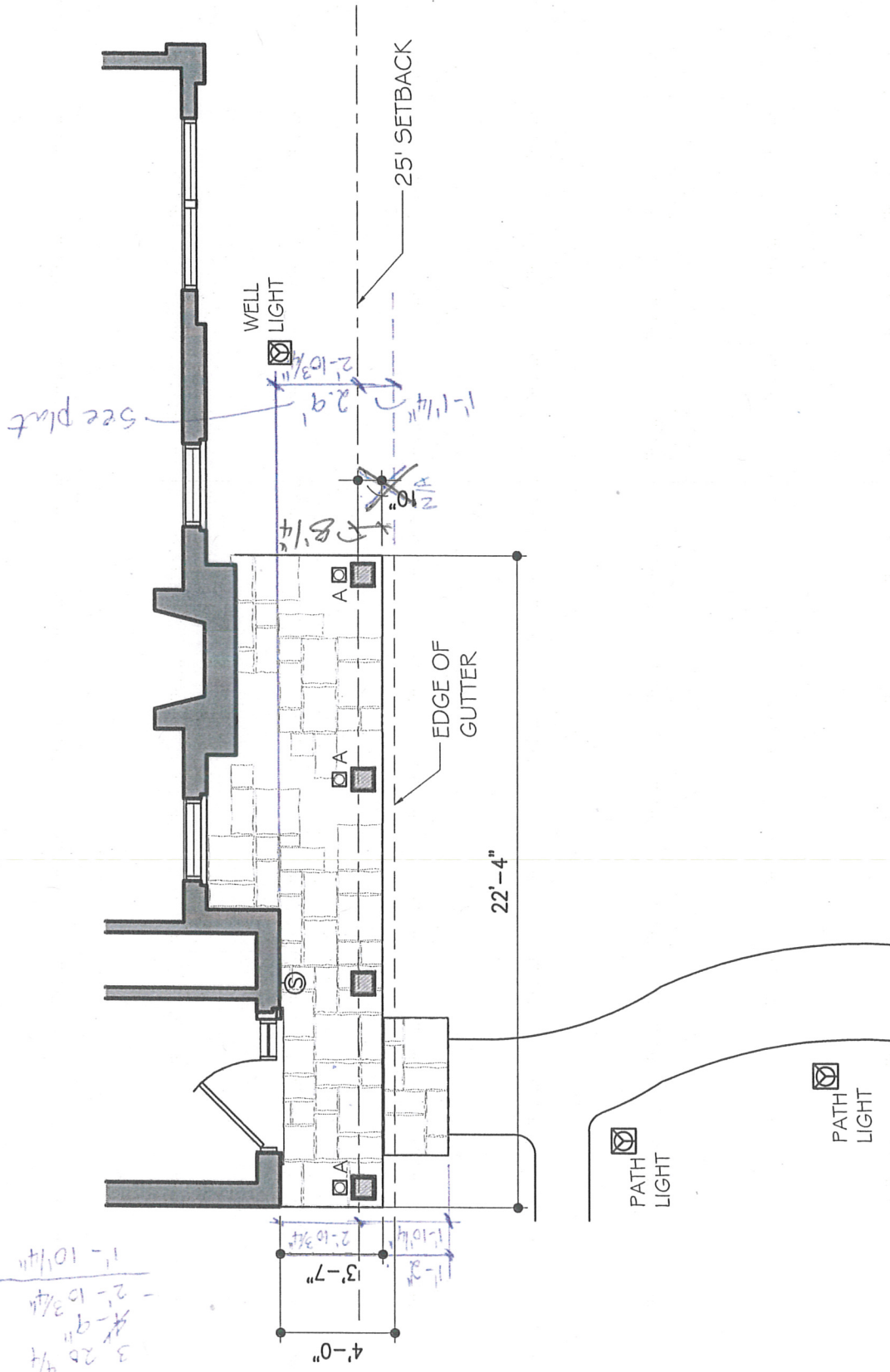
The existing conditions of the property limit us in our ability to provide a covered area for the primary entrance of our home during inclement weather. Without an enlarged (wider) stoop and a portico, we have

1. No covered area to temporarily store a stroller for our children or visitors;
2. No place for UPS, FedEx, and USPS to leave packages. On the current stoop, they are exposed to the elements and at a risk of theft without the ability to hide them behind a column. We've already had a few packages damaged by inclement weather.
3. No location of any size to place seating to watch our young children when they play in the front yard which is our primarily grassed area.

**Describe how the proposed variance most nearly accomplishes the intent and purpose of the requirements of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:**

The proposed variance nearly accomplishes the intent and purpose of the Village's building regulations. It would not create unsafe conditions, block vistas, or adversely affect the public health or the neighbor's use and enjoyment of their property. The minimal amount of green space the extended stoop would occupy is currently part of the back edge of the planting bed nearest to the structure, where it's difficult to grow anything of substance. A hydrangea bush located in the bed will re-planted in another part of the yard.





PLAN - PORCH

3/16" = 1'-0"





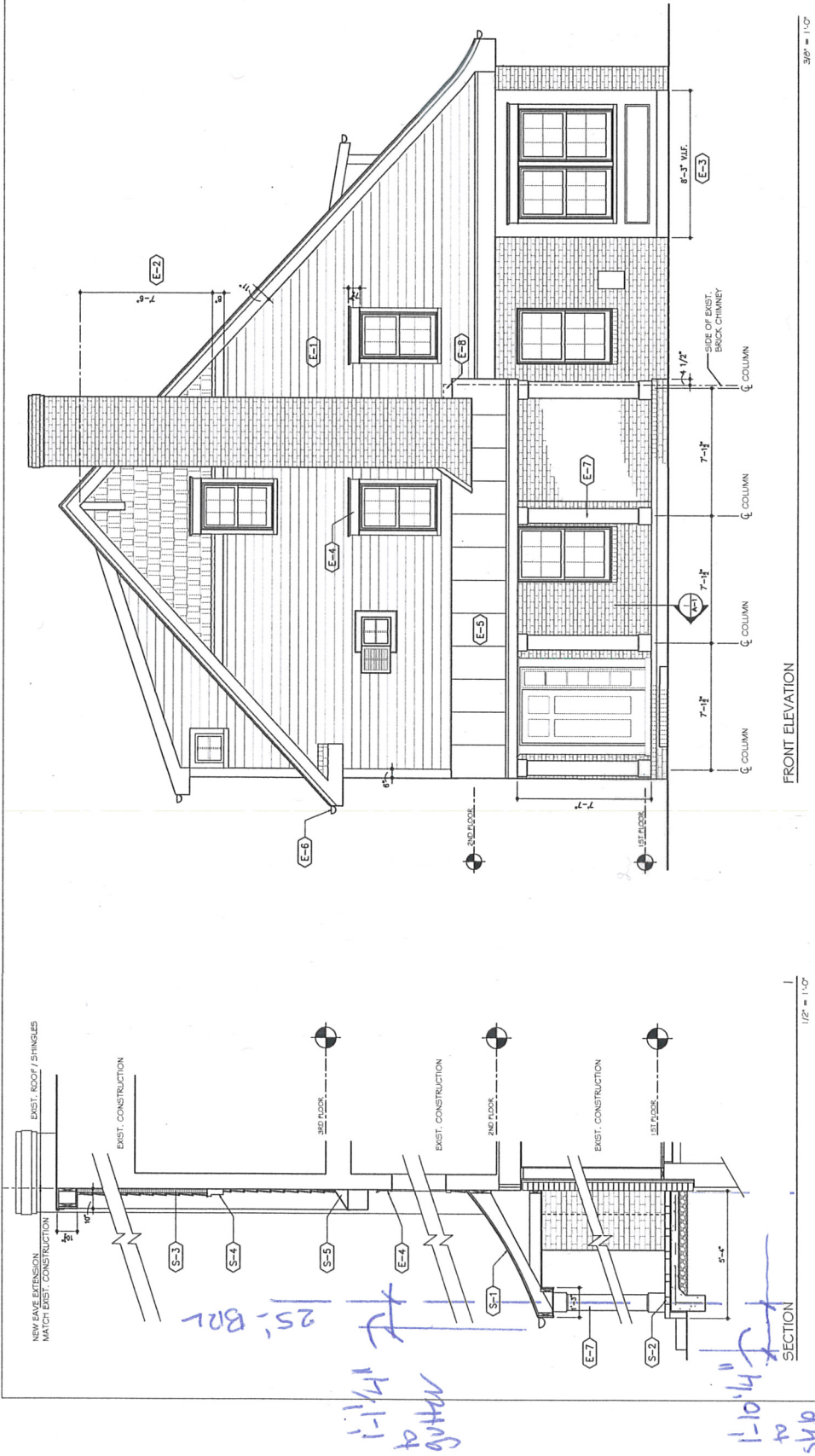
gorman  
architecture + design  
1708 Seaton Street NW  
Washington, DC 20009  
1.202.234.8003  
1.202.234.8018  
jgorman@gormanarchitecture.com

SELINGO  
RESIDENCE

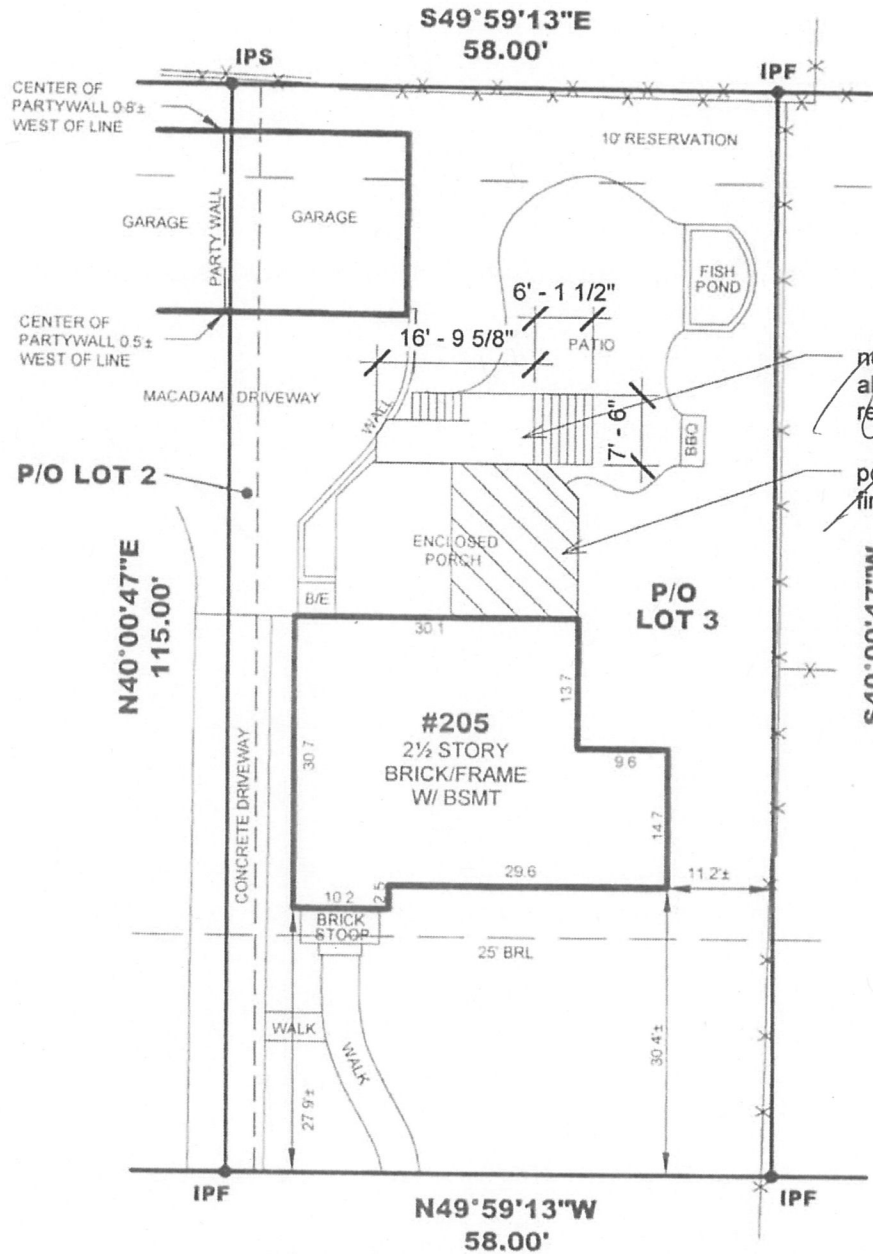
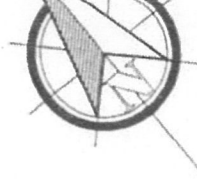
205 PRIMROSE ST  
CHEVY CHASE, MD

PROJECT	
DATE	07/17/2015
DESIGNED BY	JG
REGISTERED	
SIGNATURE	
DATE	3/18/11-07
SCALE	1/8" = 1'-0"
BY	JG

ELEVATION & SECTION	
SHEET TITLE	A-1
SHEET NUMBER	



ELEVATION NOTES	SECTION NOTES
<p>ALL WINDOWS SHOWN ARE NEW REPLACEMENTS. EXISTING WINDOW SILLING &amp; TRIM ARE PART OF THIS PHASE OF WORK.</p> <p>1. REPLACE EXISTING STUCCO FINISH AND WOOD TRIM WITH NEW 1/2\"</p>	<p>1. FULLY REMOVE EXISTING GABLE ROOF AT ENTRY PORCH. REPLACE WITH NEW SHED ROOF WITH CONCAVE PROFILE. ISOLATE AREA ABOVE ENCLOSED LIVING SPACE FROM OPEN PORCH &amp; FULLY INSULATE CEILING AREA WITH MIN. R-30 BATT INSULATION.</p>
<p>2. NEW WALKOUT TRIM BY HARDIE WITH DECORATIVE MOLDING. SILL, MOULD CASING &amp; MITERED RETURN AT EXPOSED ENDS.</p>	<p>2. REMOVE EXIST. BRICK STOOP. POUR NEW CONCRETE SLAB ON STEEL REINFORCING. COMPACTED SOIL. FACE SLAB W/ BRICK (PIENINGSTONE PATTERN).</p>
	<p>3. PAD OUT EXIST. WALL (THIS SECTION ONLY) W/ (2) ADDL. LAYERS OF SHEATHING.</p>
	<p>4. TRIM BY HARDIE (OR SIM.)</p>
	<p>5. NEW FENT GABLE W/ COPPER FLASHING</p>



new deck and stairs  
above existing patio to  
remain

portion of sunroom to be  
finished and enclosed

707402

MONTGOMERY COUNTY  
DEPARTMENT OF PERMITTING SERVICES  
APPROVED *[Signature]* DATE 3/30/15  
ZONING CLASS R-CDD PAGE 20 B/L 2  
BOARD OF ADJUDICATING

BOUNDARY SURVEY OF:  
**#205 PRIMROSE STREET**  
**PART OF LOTS 2 AND 3 BLOCK D**  
SECTION NO. 7  
**CHEVY CHASE**  
PLAT NO. 259  
LIBER: 16010 FOLIO: 523  
MONTGOMERY COUNTY, MARYLAND  
SCALE: 1"=20' DATE: 2-3-15  
DRAWN BY: JM/CP FILE #: 150359-700

A Land Surveying Company

**DULEY**  
and  
Associates, Inc.

Serving D.C. and MD.

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Phone: 301-888-1111 Fax: 301-888-1114  
Phone: 1-888-88-DULEY Fax: 1-888-55-DULEY  
For survey order/approval forms, prices & more visit us at [www.duley.biz](http://www.duley.biz)



SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS PLAT AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09 13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. NO TITLE REPORT WAS FURNISHED TO

20

# Chevy Chase Village Building Permit Application

Permit No: \_\_\_\_\_

**Property Address:** 205 Primrose Street

**Resident Name:** Jeffrey J. Selingo and Heather Salko-Selingo

Daytime telephone: 202-997-3385

Cell phone: same

After-hours telephone: same

E-mail: jeff@selingo.com

**Project Description:**

Extend front stoop at primary entrance to house and add portico roof over enlarged stoop for coverage from elements and inclement weather.

☐ Check here if the construction will require the demolition of over fifty (50) percent of any existing structure.

**Primary Contact for Project:**

☒ Resident

☐ Architect

☐ Project Manager

☐ Contractor\*

\*MHIC/MD Contractor's License No. (required):

**Information for Primary Contact for Project (if different from property owner):**

Name:

Work telephone:

After-hours telephone:

Cell phone:

E-mail:

**Will the residence be occupied during the construction project?**

☒ Yes

☐ No

If no, provide contact information for the party responsible for the construction site (if different from above):

Name:

Address:

Work telephone:

After-hours telephone:

Cell phone:

E-mail:

**Parking Compliance:**

Is adequate on-site parking available for the construction crews?

☒ Yes

☐ No

If no, please attach a parking plan which minimizes inconvenience to neighboring residents, and indicate if the property is in a permit parking area.

Will road closings be required due to deliveries, equipment or other reasons?

☐ Yes

☒ No

**Building Permit Filing Requirements:**  
**Application will not be reviewed until the application is complete**

- ☐ Copy of stamped drawings approved by Montgomery County Department of Permitting Services (DPS) and the Historic Preservation Commission (HPC), if required. Every page of drawings must be clearly stamped.
- ☐ This application form, signed by resident.
- ☐ Boundary Survey
- ☐ Site Plan (see: Village Site Plan Checklist to ensure completeness)
- ☐ Building plans and specifications
- ☐ Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
- ☐ Filing Fee (due at time of application). Fees schedule is listed in Chapter 6 of the Village Code.
- ☐ Damage deposit or performance bond (due when Building Permit is issued). Amount of required deposit or bond will be set by Village Manager.

*Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days.*

*If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed.*

*No signs advertising the architect, contractor, or any other service provider may be posted on the work site.*

**I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.**

**Applicant's Signature:**



**Date:**

10/19/15

*To be completed by Village staff:*

Is this property within the historic district?

Yes ☐

No ☒

Staff Initials:

GB

Date application filed with Village: 10/19/15

Date permit issued: \_\_\_\_\_

Expiration date: \_\_\_\_\_



<b>For Use By Village Manager</b>	<b>Application approved with the following conditions:</b>

<b>For Use By Village Manager</b> <div style="border: 2px solid black; padding: 10px; text-align: center;"> <b>DENIED</b>  OCT 19 2015  Chevy Chase  Village Manager </div>	<b>Application denied for the following reasons:</b>
	<i>Manhole Box 25' BRL:</i>
	<i>The proposed Street expands</i>
	<i>the ex'g encroachment. The</i>
	<i>proposed pertico would encroach.</i>

<b>Filing Fees</b> (due when application submitted)	<b>Checks Payable to:</b> Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Permit Application Fee: \$ <u>30.00</u> (see Permit Fee Worksheet) <input type="checkbox"/> \$50.00 (if construction is in the Public Right-of-way)	
Tree Preservation Plan Fee: <input type="checkbox"/> \$250.00 <i>previously assessed</i> <input checked="" type="checkbox"/> Not required for this project.	
TOTAL Fees: <u>\$30.00</u> check # <u>419</u>	Date: <u>10/20/15</u> Staff Signature: <i>[Signature]</i>

<b>Damage Deposit/Performance Bond</b> (due when permit is issued)	<b>Checks Payable to:</b> Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
<input type="checkbox"/> \$ _____ <input type="checkbox"/> Waived by Village Manager	Date: Village Manager Signature:
Cost of damage to R-O-W: (calculated at close-out) Amount of refund:	Date: Village Manager Signature:



Mellie J. Sawyer  
Notary Public  
Montgomery  
Co., Md.

Notary Public

EXAMINED.

*Delivered to*  
*R J Spais*  
*7-17-25*

AT the request of Edward R. Carr the following deed was recorded May 27th  
A.D. 1925 at 2:53 o'clock P.M. to wit:-

This deed made this 27th day of May in the year of our Lord one thousand nine hundred and twenty five by and between Theodore Sonnemann and Eliza Jane Sonnemann his wife, of Montgomery County, Maryland parties of the first part, and Edward R. Carr of the District of Columbia, party of the second part:

Witnesseth that in consideration of ten (10) dollars, lawful money of the United States, to them in hand paid before the sealing and delivery of these presents the said parties of the first part do grant and convey unto Edward R. Carr., party of the second part his heirs and assigns in fee simple, all those pieces or parcels of ground situate lying and being in Montgomery County, State of Maryland and being described as follows, to wit:-

Lot numbered eight (8) nine (9) ten (10) eleven (11) and twelve (12) in block lettered "A" lots numbered seven (7) eight (8) nine (9) ten (10) eleven (11) twelve (12) thirteen (13) fourteen (14) and fifteen (15) in block lettered "B" in a subdivision known as "Section 6 Chevy Chase"; as per plat recorded in plat book No. 3 plat 258 one of the land records for Montgomery County.

Lots numbered one to seven (1 to 7) both inclusive and lots numbered seventeen (17) to twenty three (23) both inclusive in block lettered "B") lots numbered one (1) to seventeen (17) both inclusive in block lettered "C" and lots numbered one to five (1 to 5) both inclusive in block lettered "D": in a subdivision known as section 7 Chevy Chase; as per plat recorded in plat book No. 3, plat 259 one, of the land records for said Montgomery County.

Together with a small strip of land lying between broad Branch Road and the said lots five (5) six (6) and seven (7) in said block "B" which is designated to be taken for the widening of said Broad Branch Road, but which strip of land is given to the owner of said lots five (5) six (6) and seven (7) in said block "B" provided said road is not widened.

Subject to building restrictions and covenants as follows:

1. That all houses upon the premises hereby conveyed shall be built and used for residence purposes exclusively except stables carriage houses sheds or other outbuildings for use in connection with such residences and that no trade business manufacture or sales or nuisance of any kind shall be carried on or permitted upon said premises.

2. That no structure of any description shall be erected within twenty five (25) feet of the front line of said premises, and that no stable carriage-house, shed or outbuilding shall be erected except on the rear of said premises.

3. That no house shall be erected on said premises at a cost of less than four thousand dollars.

4. That any house erected on said premises shall be designed for the occupancy

of a

of a single family, and no part of any house or structure appurtenant thereto shall be erected or maintained within five (5) feet of the side lines of premises hereby conveyed nor within ten (10) feet of the nearest adjacent house.

5. That a violation of any of the aforesaid covenants and agreements may be enjoined by the parties of the first part, their successors heirs or assigns.

Together with the building and improvements thereupon, erected made, or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances, and advantages to the same belonging or in anywise appertaining.

To have and to hold the said pieces or parcels of ground and premises above described or mentioned and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the only proper use, benefit and behoof forever of the said Edward H. Carr his heirs and assigns in fee simple.

And the said parties of the first part covenant that they will warrant specially the property hereby conveyed; that they are seized of the land hereby conveyed; that they have a right to convey said land; that the said party of the second part shall quietly enjoy said land; that they have done no act to encumber said land; and that they will execute such further assurances of said land as may be requisite.

Witness their hands and seals.

Test:

M.J. Sonnemann

Theodore Sonnemann (Seal)

Eliza Jane Sonnemann (Seal)

(Internal Revenue \$100.00)

State of Maryland, County of Montgomery, ss:-

I hereby certify that on this 27th day of May 1925, before the subscriber a Notary Public in and for Montgomery County, Maryland personally appeared Theodore Sonnemann and Eliza Jane Sonnemann, his wife, and did each acknowledge the foregoing deed to be their act.

In testimony whereof, I have affixed my official seal this 27th day of May A.D. 1925.

Madeline J. Sonnemann  
Notary Public  
Montgomery  
Co., Md.

Madeline J. Sonnemann  
Notary Public  
Montgomery County, Maryland.

EXAMINED

Delivered to:  
J. A. Woodward  
6-26-25

AT the request of John A. Moore the following deed was recorded May 27th A.D. 1925 at 3:32 o'clock P.M. to wit:-

This deed made this twentieth day of May in the year nineteen hundred and twenty five by Rosa M. Graeves and Lewis B.F. Graeves her husband, of the county of Montgomery



**Chevy Chase Village**

**Website Posting Notice**

**for Appeal, Special Permit & Variance Hearings**

Case Number: A- 6843 a & b

Hearing Date: 11/9/15

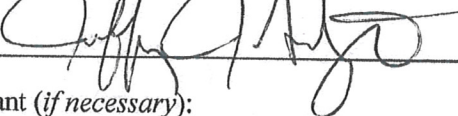
By signing below, I acknowledge as the applicant/appellant in the above-referenced case number that all supporting information and documentation for my case will be posted on the Village's website at <www.chevychasevillagemd.gov> for review by the general public.

Applicant/Appellant Name: Jeffrey J. Selingo / Heather Salto Selingo

Address: 205 Primrose St.

Telephone: 202-997-3385

E-mail: jeff@selingo.com

Applicant/Appellant Signature: 

Agent Name for applicant/appellant (if necessary):

Telephone:

Address:

E-mail:

Signature of agent:

Village staff initials: gs

Date: 10/20/15